UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

DAVID DELL'AQUILA, on behalf of)		
himself and all others similarly situated,)		
)		
Plaintiffs,)		
)		
V.)	No. 3:19-cv-00679	
)		
WAYNE LAPIERRE, the NATIONAL)	Judge Campbell	
RIFLE ASSOCIATION OF AMERICA,)	Magistrate Judge Frensley	
and the NRA FOUNDATION, INC.,)		
)	JURY DEMAND	
Defendants.)		

RESPONSE TO PLAINTIFF'S MOTION TO AMEND

The NRA Foundation takes no position on Plaintiff's Motion to Amend (D.E. 37). However, the NRA Foundation would point out that Plaintiff has failed to respond to its pending Motion to Dismiss (D.E. 35). Thus, in the event the Court denies Plaintiff's Motion to Amend, it should grant the NRA Foundation's Motion to Dismiss.

Dated: January 16, 2020

Respectfully Submitted,

NEAL & HARWELL, PLC

/s/ Aubrey B. Harwell, Jr.

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Counsel for Defendant NRA Foundation, Inc.

CERTIFICATE OF SERVICE

I certify that I caused a true and correct copy of the foregoing to be electronically filed with the Clerk of the Court on January 16, 2020, using the CM/ECF system, which will send notification to all counsel of record as listed below.

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